IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 703/2006

NARENDRA KUMAR JAIN Vs. STATE OF RAJASTHAN & ANR.

DATE: 07.03.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Gaurav Jain for
Mr. R.K. Jain for the accused-petitioner.
Mr. Ashwini Kumar Sharma, PP for the State.

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The present criminal revision petition under Section 397 Cr.P.C. is preferred by the accused-petitioner against the order dated 05.05.2006 passed by the Additional Chief Judicial Magistrate No.4, Jaipur City, Jaipur in Criminal Case No. 10/2002, whereby the application of the accused-petitioner moved under Sections 218 and 219 Cr.P.C. has been dismissed.

I have heard rival submissions of the respective parties and have also gone through the impugned order dated 05.05.2006.

The cheques were issued on the same day and notice was also issued regarding both the cheques on the same day and both the cheques were dishonored. I failed to understand the reasons which are mentioned in the impugned order dated 05.05.2006 and I am fully

satisfied with the submissions made on behalf of the accused-petitioner.

Therefore, the impugned order dated 05.05.2006 passed by the Additional Chief Judicial Magistrate No.4, Jaipur City, Jaipur is herewith quashed and set-aside and the Court below is directed to hear on the application under Sections 218 and 219 Cr.P.C. afresh and shall pass fresh order looking to the facts and circumstances of the case.

The revision petition stands allowed accordingly.

(K.S. RATHORE),J.

/KKC/